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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,772	04/23/2001	Endong Xun	MS1-553US	4242
22801	7590	11/18/2005	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			SERROU, ABDELALI	
			ART UNIT	PAPER NUMBER
			2654	

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/840,772

Applicant(s)

XUN, ENDONG

Examiner

Abdelali Serrou

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 04 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) 16-57 and 62 is/are withdrawn from consideration.
- 5) ☒ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 58-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/23/2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. In response to the office action from 01/07/2005, the applicant has submitted an amendment, filed on 04/04/2005, canceling claims 16-57 and 62, amending claims 58 and 61, and arguing to overcome the references used.

Response to Arguments

2. Applicant's arguments about the original limitations have been fully considered, but are not persuasive, for reasons given next.

3. As per claim 1, Applicant argues that the Office did not address the claim feature "a user interface that allows a user to select text in non-native language and view a translation of the selected text in a native language (Amendment, page 8). Applicant respectfully disagrees and notes that selecting a portion of a text is inherently disclosed within the process of translating an input a text (col. 2, lines 16-17). Without being selected, a portion of a text would not be able to be translated.

4. There being no further specific argument to overcome the rejection of claims 2-13, beside they are being dependant on independent claim 1. Therefore, claims 2-13 are rejected for the same reasons as set in the previous office action.

5. As per claim 14, Applicant argues that the Office has not established *a prima facie* case of obviousness, rejecting the feature of "to select English language text and view a Chinese

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language translation of the selected text (Amendment, page 9). Applicant respectfully disagrees and supplies Brown et al. (U.S 5,477,451 issued on Dec. 19, 1995), who teach translation and display of Chinese language (col. 7, lines 51-55, col. 9, lines 47-49, and Fig. 4).

6. There being no further specific argument to overcome the rejection of claim 15, beside it is being dependent on independent claim 14. Therefore, claim 15 is rejected for the same reasons as set in the previous office action.

7. There is no further specific argument to overcome the rejection of claims 59-60, beside them being dependent on independent claim 58. Therefore, claims 59-60 are rejected for the same reasons as set in the previous office action.

Thus, amended claims 58 and 61 are rejected for new reasons given below, and claims 1-15 and 59-60 stay rejected for reasons given in the previous office action, which are repeated next.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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9. Claims 1- 3, 5-8, 11 and 61 are rejected under 35 U.S.C. 102(e) as being anticipated by Duan et al. (U.S 6,778,949 filed on Oct. 18 and issued on Aug. 17, 2004).

10. As per claim 1, Duan et al. teach:

a parser for parsing selected text into individual translation units (relies on a conventional parsing method to build the nodes in a syntax parse tree that builds a parse tree from the leaf nodes to the root node (col. 9, lines 34-39);

a word translation selector for choosing for the translation units an expression in a source language into an output expression in a target language for the translation units (col. 2, lines 16-17); and a translation generator for translating the candidate word into corresponding words or phrases in the native language that can be presented to the inherent user interface (Figs. 7 and 2a, which represents a generation tree translation.

11. As per claim 2, Duan et al. teach a morphological analysis module 206 which takes text input 202 and uses a source language dictionary 204 to decompose the words into morphemes by identifying root forms, grammatical categories, thesaurus information, and other lexical features of the words (col. 5, lines 51-55).

12. As per claim 3, Duan et al. teach a part-of-speech/base noun phrase identification module for tagging individual words with identifiers (syntax parse tree, Fig 2a).

13. As per claim 5, Duan et al. teach a phrase extension module (an expansion function, col. 11 lines 35-50) for applying phrase extension rules to individual words.

14. As per claims 6-8, Duan *et al.* teach a system of a dictionary module for translating the candidate word translations into the corresponding words or phrases, a word dictionary and phrase (multiword) dictionary (col. 6, lines 32-33).

15. As per claim 10, Duan et al. teach a template module (Fig 2a, element 208) that can be used to translate the candidate word translations into the corresponding words or phrase (col. 8, lines 26-33).

16. As per claim 11, Duan et al. teach rules module (col. 5, lines 43-50) that contains multiples rules for translating non-native language words into native language words.

17. As per amended claim 61, Duan et al. teach a user interface configured to allow a user to select text in non-native language and view a translation of the selected a translation of the selected text in a native language (is inherently disclosed within the process of translating an input a text (col. 2, lines 16-17). Without being selected, a portion of a text would not be able to be translated.

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Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claim 14 is rejected under 35 U.S.C. Claim is rejected under 35 U.S.C 103 (a) as being unpatentable over Duan et al.

Duan et al. does not explicitly teach a user interface to allows a user to select an English text to view a translation text in Chinese. However, the examiner takes Official Notice that it is old and well-known in the art to select English language text in view of a second language such as Chinese for a translation of the selected text.

Therefore, it would have been obvious for one of ordinary skill at the time the invention was made to include Chinese as a target language in the Duan et al.'s system to make the translation system more versatile.

20. Claims 4, 12-13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duan et al. (U.S. Patent 6,778,949) in view of McCarley et al. (U.S. Patent 6,092,034).

21. As per claims 4 and 12, the Duan et al. reference teaches a reading system comprising of all the limitations of claim 3 upon which claim 4 depends. Duan et al. do not explicitly teach a statistical model.

McCarley et al. teach a statistical model (col. 7, lines 59-67, and col. 8, lines 1-15). Duan et al. and McCarley *et al.* are analogous art because they are from the same field of endeavor namely machine translation.

Therefore, it would have been obvious for one of ordinary skill at the time of invention to combine Duan et al. and McCarley *et al.* by adding the statistical model to the reading system, to disambiguate a source language text and translate it into most likely target language sentences.

22. As per claims 13 and 15, the Duan et al. reference teaches a reading system comprising of all the limitations of claims 1 and 14 upon which these claims depend. Duan et al. do not explicitly teach a browser. McCarley et al. teach a browser (col. 2, lines 31-35). Duan et al. and McCarley et al. are analogous art because they are from the same field of endeavor namely machine translation.

Therefore, it would have been obvious for one of ordinary skill at the time of invention to combine Duan et al. and McCarley et al. in the reading system to also enable translation of foreign language information on the web.

23. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Duan et al. (U.S. Patent 6,778,494) as applied to claim 6, in view of Corbonell et al. (U.S. Patent 6,139,201).

Duan et al. do not teach an irregular morphology dictionary.

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Carbonell et al. teach: an irregular morphology dictionary (a listing of irregular morphological forms, col. 17, lines 21-29 and col. 18, lines 10-12).

At the time of invention it would have been obvious to a person of ordinary skill in the art, to have added Carbonell teaching of irregular morphology dictionary to the Duan's method of analyzing and manipulating linguistic structures, so as to have a more versatile system with rules not only for the regular verb morphology (the default rule), but also for the different types of irregular verb morphology.

24. Claims 58-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duan et al. (U.S 6,778,949 filed on Oct. 18, 1999 and issued on Aug. 17, 2004) in view of Adachi et al. (U.S 4, 866, 670 issued on Sept. 12, 1989).

25. As per amended claim 58, Duan et al. teach:

a parser for parsing selected text into individual translation units (col. 9, lines 39-44);

a word translation selector for choosing candidate word translations for the translation units (col. 2, lines 16-17);

a translation generator for translating the candidate word translations into corresponding words or phrases in the native language that can be presented to the user via the user interface (Fig. 7 and Fig. 2a, which represent a generation tree method for use in the natural language translation); and

a user interface configured to allow a user to select text in non-native language and view a translation of the selected a translation of the selected text in a native language (is inherently

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disclosed within the process of translating an input a text (col. 2, lines 16-17). Without being selected, a portion of a text would not be able to be translated.

However, Duan et al. do not teach wherein the user interface displays text translations adjacent text the user has selected for translation.

Adachi et al., in the same field of endeavor do teach displaying text translation adjacent to the text, the user has selected for translation (Fig. 3, elements 36 and 37).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the display feature of Adachi et al. to the system of Duan et al., because this would not slow down the user's reading by diverting his attention far from the source language text.

26. As per claim 59, Duan et al. teach a morphological analysis module 206 which takes text input 202 and uses a source language dictionary 204 to decompose the words into morphemes by identifying root forms, grammatical categories, thesaurus information, and other lexical features of the words (col. 5, lines 51-55).

27. As per claim 60, Duan et al. teach a phrase extension module (an expansion function, col. 11 lines 35-50) for applying phrase extension rules to individual words.

Conclusion

28. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelali Serrou whose telephone number is 571-272-7638. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Smits can be reached on 571-272-7628. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A. Serrou

11/04/2005

A handwritten signature in black ink, appearing to read "Tālivaldis Ivars Smits". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

TĀLIVALDIS IVARS SMITS
PRIMARY EXAMINER